

Certain powers
delegated to
cemetery
manager.

SEC. 16. The superintendent, manager, and assistant superintendent of such cemetery shall have all the powers of a deputy sheriff of the county in which such cemetery is located to enforce the law, maintain order, abate nuisances, and prevent vandalism in such cemetery.

Prosecution of
violations.

SEC. 17. It shall be the duty of the Burial Commissioner to prosecute or cause to be prosecuted all violations of this Act, and upon the conviction of the owner or manager of a public cemetery of such violation, and upon failure of such owner or manager to correct such violation within thirty days thereafter, then, in addition to such other penalties as may result from such conviction, the Burial Commissioner may, in his discretion, revoke the license of such cemetery. Said commissioner may, in his discretion, upon application by such cemetery, thereafter restore to it its license if such cemetery corrects the violation of this Act, on account of which its owner or manager was convicted, as well as any other violations thereof known to the commissioner. This Act shall be written into and become a part, where applicable, of all contracts and certificates issued hereunder.

Revocation of
licenses of
cemetery.

Restoration of
license.

Act part of
contracts.

Partial invalidity
provision.

SEC. 18. The unconstitutionality of any part of this Act shall not affect the remaining parts thereof, and same shall not be subject to any other laws respecting insurance companies of any class, nor shall same be subject to the laws affecting the sale of securities or laws affecting Mutual Burial or Assessment Insurance Associations, excepting only as this Act, or amendments hereof, shall expressly provide. All laws in conflict herewith are hereby repealed.

Effect of certain
other laws.

Conflicting laws
repealed.

Act not to apply
to certain
counties.

SEC. 19. This Act, anything to the contrary notwithstanding, shall not apply to any county, which, according to the last United States Census, had a population of less than twenty-five thousand, nor shall it apply to any existing cemetery which does not advertise or charge for perpetual care of lots offered for sale to the public. Such existing cemetery shall have the right to advertise and provide perpetual care of its lots and to be licensed hereunder upon depositing in a perpetual care fund the amount per grave space applicable under the terms hereof.

Or to certain
cemeteries.

Act not ap-
plicable to Bun-
combe County.

SEC. 20. The provisions of this Act shall not apply to Buncombe County.

SEC. 21. This Act shall be in force from and after its ratification.

Ratified this the 8th day of March, 1943.